

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 210 - SB 592

March 8, 2013

SUMMARY OF BILL: Enacts the “High Performing School Districts Flexibility Act”. Defines a “high performing district” as any local education agency (LEA) that satisfies a majority of the following criteria, according to the state report card: has a 90 percent or higher graduation rate; has an average student ACT score of 21 or greater; has a Tennessee Comprehensive Assessment Program (TCAP) three-year average composite curve equivalent (NCE) score of 55 or greater; has a Tennessee Value Added Assessment System (TVAAS) three-year composite curve equivalent (NCE) gain of 1.75 or higher; or meets or exceeds annual achievement and gap closure measurable objectives; and receives an “exemplary” or similar status from the Department of Education. Requires only criteria specified above reported on the state report card to be used when considering whether an LEA is eligible to be declared a high performing district. Criteria that do not apply to a specific LEA shall be removed and the majority of the criteria remaining must be met.

Authorizes any LEA that meets the majority of applicable criteria to declare itself a high performing school district by action of the local board of education. The designation shall begin the July 1 following the declaration and shall last for three years. Authorizes the LEA, at the end of three years, to again declare itself a high performing district if the majority of the criteria continue to be met. Without approval from any state or local government entity, a high performing school district may: utilize a teacher evaluation system different from the one adopted by the state; add educational days to the district’s school calendar, provided the minimum number of statutorily school days are met; may apply to the Commissioner of Education for a waiver of any State Board of Education rule, provided that the waiver does not waive regulatory or statutory requirements related to civil rights, health and safety, public records, immunizations, possession of weapons on school grounds, background checks of personnel, special education services, student due process, parental rights, student assessments and accountability, open meetings, and equivalent instruction time.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

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Assumptions:

- Any increase in state expenditures to grant waivers or approve alternative teacher evaluation systems is estimated to be not significant.
- No change in the Basic Education Program (BEP) funding formula.
- Any permissive increase in local expenditures as a result of using an alternative teacher evaluation system, adding additional days to the school calendar, or receiving a waiver for certain rules and regulations is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

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